

APRIL 22, 2014

PORT ST. JOE, FLORIDA

REGULAR MEETING

The Gulf County Board of County Commissioners met this date in regular session with the following members present: Chairman Ward McDaniel, Vice Chairman Carmen L. McLemore, and Commissioners Joanna Bryan, Tynalin Smiley, and Warren J. Yeager, Jr.

Others present were: County Attorney Jeremy Novak, Clerk Finance Officer Sherry Herring, Deputy Clerk Kari Summers, Chief Administrator Don Butler, Assistant Administrator Michael L. Hammond, Deputy Administrator Lynn Lanier, Deputy Administrator Brett Lowry, Building Official Lee Collinsworth, Building Inspector George Knight, Central Services Director Denise Manuel, Code Enforcement Officer Mike Aiken, Emergency Management Director Marshall Nelson, Gulf County E.M.S. Director Houston Whitfield, Grant Writer Towan Kopinsky, Mosquito Control Director Mark Cothran, Planner David Richardson, Assistant Public Works Director Jake Lewis, Sheriff Mike Harrison, Tax Collector Shirley Jenkins, and T.D.C. Executive Director Jennifer Jenkins.

Sheriff Harrison called the meeting to order at 9:00 a.m., E.T.

Chairman McDaniel opened the meeting with prayer and led the Pledge of Allegiance to the Flag.

CONSENT AGENDA / INFORMATION PACKET

Chairman McDaniel called for public comment regarding the Consent Agenda or the Information Packet. There being no public comment, Commissioner Bryan requested to pull pages 9-12 (Item #2: Deed of Conveyance * Ellis C. Smith, Jr.) and pages 26-29 (Item #5: Invoice-Sniffen & Spellman) from the Consent. After discussion by Commissioner Bryan and County Attorney Novak, Commissioner Yeager moved to approve the Consent Agenda with Item #2 (pages 9-12) and Item #5 (pages 26-29) included. Commissioner Smiley seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion then passed 4 to 1, with Commissioner Bryan voting no, as follows:

1. Approval of Checks and warrants for March, 2014 which are incorporated herein by reference, pursuant to Chapter 136.06 F.S.
2. Deed of Conveyance (Beacon Hill Veterans' Park * Ellis C. Smith, Jr.)
3. Grant Agreement – Amendment to State Aid to Libraries

4. Gulf County Transportation Committee – Membership Ratification
5. Invoices – Sniffen & Spellman, P.A. – Professional Litigation Services (Invoice #11942 * \$4,127.00)
 - UniFirst Corporation (Courthouse * Invoice #2710067374 * \$72.25 * Invoice #2710067888 * \$72.25 * Invoice #2710068420 * \$72.25 * Maintenance * Invoice #2710067373 * \$42.03 * Invoice #2710067887 * \$42.03 * Invoice #2710068419 * \$42.03 * Public Works * Invoice #2710067370 * \$11.25 * Invoice #2710067884 * \$11.25 * Invoice #2710068416 * \$11.25 * Invoice #2710067371 * \$51.04 * Invoice #2710067885 * 51.04 * Invoice #2710068417 * \$71.29)
6. Policy – Advisory Board Application & Appointment
7. Records Disposition – BOCC Documents
8. Refund Request – Gulf County Tax Collector (Parcel #02485-000R)
 - Gulf County Tax Collector (Parcel #01579-185R)

(End)

P.D.R.B. RECOMMENDATIONS

The Board then considered the following recommendations from the April 21, 2014 Planning & Development Review Board meeting, as follows:

VARIANCE APPLICATION – JAMES & KATHERINE KORONA

Pursuant to advertisement to hold a Public Hearing to consider a variance for James and Katherine Korona, (Parcel #04276-360R) for a Road Setback from Single Lane, County Attorney Novak read the Public Notice and reported that the P.D.R.B. voted to deny this variance request 2 to 1. Chairman McDaniel called for public comment. There being no public comment, Commissioner McLemore motioned to deny the variance request for James and Katherine Korona. Commissioner Yeager seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion then passed unanimously.

MINOR SUBDIVISION – PENTEL FAMILY PARTNERSHIP, LDT

Pursuant to advertisement to hold a Public Hearing to consider a Minor Subdivision for the Pentel Family Partnership, LDT (Parcel #04243-000R) for Minor Subdivision, County Attorney Novak read the Public Notice. Chairman McDaniel called for public comment. There being no public comment, Commissioner McLemore motioned to approve the Minor Subdivision. Commissioner Bryan seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion then passed unanimously.

TOURIST DEVELOPMENT COUNCIL – MEDIA TOUR

T.D.C. Director Jenkins appeared before the Board to discuss the T.D.C. draft budget regarding the Media Tour scheduled for next week. After discussion, Commissioner Yeager motioned to approve the draft Media Tour Budget. Commissioner Bryan seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously.

APPOINTEE – RIVERWAY SOUTH BOARD

T.D.C. Director Jenkins reported that the Board of Directors of Riverway South conducts monthly meetings and requested that the Board transfer her seat on this board to T.D.C. Business Manager Kellie Jackson. Commissioner Yeager motioned to approve this request. Commissioner Bryan seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion then passed unanimously.

GULF COAST PARKWAY

Planner Richardson reported that the Gulf Coast Parkway Study is in the library for public review.

GRANT AGREEMENT – OUTDOOR LIGHTING

Upon discussion by Grant Coordinator Kopinsky, Commissioner Smiley motioned to approve the Modified Grant Agreement with Florida F.W.C. regarding the Outdoor Lighting Project; contingent upon County Attorney review. Commissioner Yeager seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously.

GRANT APPLICATIONS – ROAD PROJECTS

Upon recommendation by the Transportation Committee, Commissioner Smiley motioned to proceed with applying for various grant applications, as follows:

S.C.O.P. Grant, with two (2) priorities-

- County Road 5, running from State Road 22 to the Prison
- County Road 382, running from State Highway 98 to State Highway 71

S.C.R.A.P. Grant, with one (1) major, and one (1) minor project-

- Major project on County Road 20, running from State Highway 71 to the Overstreet Road (County Road 386)
- Minor project on Atlantic Street in St. Joe Beach

C.I.G.P. Grant-

- Iola Road, Phase II
- Five Points Road, if a second project is requested/listed

T.E.P. Grant-

- Piping to cover the outfall ditch from Americus Avenue to State Highway 98, and
- Install golf cart parking

T.R.I.P. Grant-

- Thirteen Mile Road (County Road 383)

Commissioner Yeager seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously.

BIDDING POLICY – GULF COUNTY TAX COLLECTOR

County Attorney Novak discussed the newly adopted Bidding Policy by the Gulf County Tax Collector regarding the Sale of Tax Certificates. He requested that this Policy be placed on the County's website for public review.

LIFE INSURANCE – LEGACY TRUST

County Attorney Novak discussed the Legacy Trust Program, stating that once the enrollment agreement is finalized regarding Life Insurance for the County, he will submit it to the Cities of Wewahitchka and Port St. Joe for their approval.

SUBORDINATION AGREEMENT – GULF RIFLE CLUB

County Attorney Novak discussed the Subordination Agreement with the Gulf Rifle Club, reporting this Agreement has been executed. He also reported that once the fully executed agreement, along with the lease, is received it will be recorded in the Official Records.

PROCLAMATION – PLEDGE OF CIVILITY

Upon discussion by County Attorney Novak, Commissioner Yeager motioned to proceed with allowing County Attorney Novak to provide the Board with a packet for the 1st meeting in May, as encouraged by the Florida Bar, regarding the Pledge of Civility. Commissioner McLemore seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion then passed unanimously.

LOAN AGREEMENT – PORT AUTHORITY

County Attorney Novak reported that the Gulf County Clerk of Court has issued the Certificate of Sale regarding The Port and a sale followed for this foreclosed property. Upon discussion by County Attorney Novak, Commissioner Yeager motioned to allow County Attorney Novak to meet with the Port Authority to discuss modifying the Loan Agreement to do a substitution of collateral (old Arizona Chemical site). Commissioner Smiley seconded the motion. County Attorney Novak discussed the request made by the Port Authority to accept a three (3) year reprieve regarding the loan payments. Commissioner Yeager agreed to include this reprieve request in his motion. After discussion by members of the Board, Chairman McDaniel called for public comment. There being no public comment, the motion passed 4 to 1, with Commissioner McLemore voting no.

CONTRACT EXTENSION – E.M.S. CONSULTANTS

Upon discussion by County Attorney Novak and Deputy Administrator Brett Lowry, Commissioner Yeager motioned to allow the Chairman to sign a six (6) month extension Contract with E.M.S. Consultants. Commissioner McLemore seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion then passed unanimously.

ECONOMIC DEVELOPMENT – KOPINSKY

Chief Administrator Butler discussed the County moving forward with placing the E.D.A. under the County, reporting that Towan Kopinsky will be the interim Economic Development Point of Contact for the County. He presented a proposed budget for the Board to review.

DREDGE – CANAL

Upon discussion by Chief Administrator Butler, Commissioner Yeager motioned to support the one (1) year spoil to dredge the Canal on the Corps of Engineers Easement between St. Joe Bay and the Intercoastal. Commissioner Smiley seconded the motion. After discussion, Chairman McDaniel called for public comment. There being no public comment, Commissioner Yeager amended his motion to add that all the sand dredged be removed from the site. The motion then passed unanimously.

ADVERTISE R.F.P. – CLASS STUDY / COUNTY ADMINISTRATOR ORDINANCE

Upon recommendation by Chief Administrator Butler, Commissioner McLemore motioned to allow staff to identify funding to pay for a pay-class study regarding the County Administrator and advertise for R.F.P.'s for this service. Commissioner Yeager seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion then passed unanimously.

CAMPING FEES – DEAD LAKES PARK

Upon recommendation by Chief Administrator Butler, Commissioner McLemore motioned to set the camping fees at Dead Lakes Park at \$14.00 per night for RV Camp Sites and \$10.00 per night for Tent Sites. Commissioner Yeager seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion then passed unanimously.

MEETING – ENTERPRISE ZONE

Chief Administrator Butler reported that an EZDA meeting will be held on April 24, 2014 at 12:00 p.m., E.T. in the Conference room of the Robert M. Moore Administration Building.

MEETING – BUDGET COMMITTEE

Chief Administrator Butler discussed the second Budget Committee Meeting that was held to discuss the upcoming budget. He reported that additional meetings will take place; noting the deadline to submit the proposed budgets to the Clerk of Court is May 15, 2014.

BID #1314-18 – LEASE/OPTION TO PURCHASE BUILDING

Chief Administrator Butler discussed sealed Bid #1314-18 for the lease or option to purchase a building for either the Supervisor of Elections or the Sheriff's Department; reporting only one sealed bid was received. He discussed Sheriff Harrison reviewing this proposed building to see if it would be adequate office space.

POLICY – ADVISORY BOARD APPLICATION & APPOINTMENT

Chief Administrator Butler discussed the Advisory Board Application and Appointment Policy that was approved by the Board in the Consent Agenda (page 48).

APPOINTMENT – P.D.R.B.

Upon inquiry by Chairman McDaniel, Planner Richardson reported the P.D.R.B. is two (2) members short. Chairman McDaniel requested anyone interested in serving on the P.D.R.B. should contact the County Administration Office.

COASTAL BARRIER RESOURCES ACT (C.B.R.A.)

Upon discussion by Chairman McDaniel, Commissioner Yeager discussed testifying before Congress regarding the C.B.R.A. issue and the discussions with the U.S. Fish and Wildlife Commission (U.S.F.W.C.)

LETTER OF SUPPORT/PROPOSED RESOLUTION – ST. VINCENT ISLAND

Upon discussion by Commissioner Yeager, Landy Luther, a member of the board to support St. Vincent appeared before the Board to discuss his concerns regarding Florida F.W.C.'s proposal relating to St. Vincent Island. He discussed submitting a petition to U.S.F.W.C. supporting St. Vincent Island. After discussion, Commissioner Yeager motioned to submit a Letter of Support or a proposed resolution to various agencies (U.S.F.W.C., Department of Interior, Florida F.W.C. Panama City Office, etc.) regarding St. Vincent Island. Commissioner Smiley seconded the motion. Chairman McDaniel called for public comment. After discussion by members of the Board, Patricia Hardman, of Port St. Joe appeared before the Board to discuss her concerns regarding St. Vincent Island and additional agencies that need to receive notification of the Board's support. Marie Steelmanilie, a business owner at St. Vincent Island, appeared before the Board to discuss her concerns regarding the Red Wolf Program at St. Vincent Island. After discussion, Commissioner Yeager requested that staff draft a proposed resolution for the Board to review at the next meeting.

ROAD WORK – COUNTY ROAD 30

Commissioner Yeager reported that the road work on C.R. 30 will be finished seven (7) or eight (8) months early. He also reported that F.D.O.T. will be finished paving by June 1, 2014 and finish with the other project by July 1, 2014.

PARKING LOT – TREASURE BAY PRESERVE

Commissioner Yeager discussed his concerns regarding public parking in the new D.E.P. Office's parking lot (old Treasure Bay Lodge) and requested permission from the Board to submit a letter to D.E.P. to open the parking lot at Treasure Bay Preserve for public usage.

LETTER OF SUPPORT/PROPOSED RESOLUTION – ST. VINCENT ISLAND

Deputy Administrator Lanier reported that the motion was not carried regarding supporting St. Vincent Island. The motion then passed unanimously to submit a Letter of Support or a proposed resolution to various agencies regarding St. Vincent Island.

WALKOVER – STUMPHOLE ACCESS

Commissioner Yeager discussed the need to find funds to build a walkover over the rocks at the Stumphole.

ACCESS – EGLIN AIR FORCE BASE

Commissioner Yeager discussed working with Eglin Air Force Base regarding an emergency access for the fire department to launch jet-skis at the Stumphole.

COASTAL BARRIER RESOURCES ACT (C.B.R.A.)

Chairman McDaniel thanked Commissioner Yeager for working diligently on the C.B.R.A. issue.

STREET LIGHT – HONEYVILLE PARK

Following discussion, Commissioner McLemore motioned to allow one street light to be turned on at Honeyville Park. Commissioner Yeager seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the meeting then passed unanimously.

PAY RAISE – COUNTY ADMINISTRATOR

Following discussion, Commissioner McLemore motioned to issue a pay increase to Chief Administrator Butler (increase to the same salary as the Sheriff), in the amount of \$104,000.00. Commissioner Yeager seconded the motion for discussion. After discussion, Chairman called for public comment. Tom Semmes, of Wewahitchka appeared before the Board to inquire about the effective date and where the increase funding will be paid from. Commissioner Yeager reported the pay increase will be effective immediately and it would be pulled from the Budget. Upon inquiry by Clerk Finance Officer Sherry Herring, Commissioner McLemore stated he wanted the raise to be set by Florida Statute. There being no further discussion, the motion passed 4 to 1, with Commissioner Bryan voting no.

LAWSUIT – IMPROVING GULF COUNTY

Commissioner McLemore discussed his concerns regarding complaints that were filed by the Citizens Improving Gulf County at taxpayers' expense.

DONATIONS – COMMISSIONER CAMPAIGN

Commissioner McLemore discussed a statement made by another Board member at the April 8th regular Board meeting regarding campaign contributions. He then discussed Commissioner Bryan's contributions that were made to her campaign.

PUBLIC RISK INSURANCE AGENCY

Chairman McDaniel discussed his concerns regarding the premium estimate for FY 2014-15 by Public Risk Insurance Agency which was placed in the Information Packet (page 2). Commissioner Bryan requested that Deputy Administrator Brett Lowry provide her with a copy of the loss run reports and the legal bill involving the Jim Garth lawsuit.

The Chairman called a recess at 10:48 a.m., E.T.

The Chairman reconvened at 11:00 a.m., E.T.

CLOSURE – CONCRETE COMPANY

Upon request by Commissioner Yeager, Valerie Edmous, owner of All American Concrete Services appeared before the Board to report that Ready Mix USA has notified their customers they are closing the plant in Port St. Joe on May 1, 2014 and will no longer service Gulf County. After discussion, Commissioner Yeager discussed holding a meeting to see if All American Concrete would qualify for any incentives under the Enterprise Zone. Patricia Hardman, of Port St. Joe appeared before the Board to discuss her concerns regarding the closing of the Ready Mix USA branch in Port St. Joe. Commissioner McLemore discussed allowing the E.D.A. to review this matter.

POLICY – ADVISORY APPOINTMENT

Upon discussion by County Attorney Novak, Commissioner Yeager voiced his concerns regarding County policy that only allows a citizen to serve on one advisory committee board at a time. After discussion, County Attorney Novak reported the County currently has nine (9) vacancies to fill. Commissioner McLemore motioned to suspend county policy that limited citizens serving on only one advisory committee board at a time. Commissioner Smiley seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion passed 4 to 1, with Commissioner Bryan voting no.

BEACH ACCESS – GULF COAST PARKWAY

Rosemary Woods, of Atkins (f/n/a PBS & J) appeared before the Board to discuss the Gulf Coast Parkway Project and the upcoming public hearing. Atkins Property Manager Greg Garrett appeared before the Board to report that the Public Hearing will be held on May 6, 2014 at 5:30 p.m., E.T. in the Port St. Joe Centennial Building to discuss the Gulf Coast Parkway Project. He also reported that a follow-up meeting will be held on May 8, 2014 at the Springfield Community Center in Panama City at 6:30 p.m., E.T. Mr. Garrett noted the project documents are available for public review at the Gulf County and Bay County libraries, and is also posted on the project website (www.gulfcoastparkway.com). He discussed Alternative #17 as being the proposed option moving forward. After discussion, Chief Administrator Butler recommended that the Board support Alternative #15 regarding the Gulf Coast Parkway Project. After discussion, Ms. Woods thanked the Board for allowing them to come forward today to discuss the Gulf Coast Parkway.

ST. JOSEPH PENINSULA – SOUTHERN BEACH EROSION CONTROL INVESTIGATION

Michael Dombrowski, of MRD Associates, Inc. appeared before the Board to discuss the southern beach erosion at St. Joseph Peninsula and presented a power-point presentation regarding the updated investigation.

ST. JOSEPH SHORES

Stan Price, on behalf of Betty Price, appeared before the Board to discuss the water issues at St. Joseph Shores and requested the Board allow Chief Administrator Butler or County Attorney Novak to contact St. Joe Company regarding the drainage issue at St. Joseph Shores. After discussion, County Attorney Novak noted meeting with some of the property owners of St. Joseph Shores regarding the drainage issues. Commissioner Bryan motioned to allow County Attorney to contact St. Joe Company to gather more information regarding the drainage issue at St. Joseph Shores and bring this matter back before the Board for review. Commissioner

Yeager seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion then passed unanimously. Jim and Jean Hardenburg appeared before the Board to discuss their concerns regarding the drainage issue at St. Joseph Shores and presented pictures for the Board to review.

MODEST PROPOSAL FOR BRINGING JOBS TO GULF COUNTY

John Comer, DD, of Church of Our Founding Fathers appeared before the Board to discuss his concerns regarding the bankruptcy in 2014. He also discussed his concerns regarding the job market in Gulf County. Mr. Comer requested the Board advertise the fact that Gulf County has the same labor force as 1994.

GOLF TOURNAMENT – ADVOCATES FOR CHILDREN

Patti Hester, of Port St. Joe Beach appeared before the Board to discuss the Guardian Ad Litem Program. She reported that the Advocates for Children will be holding their annual golf tournament and inquired if any of the Board members would like to sponsor a hole at \$125.00. Commissioner Smiley discussed the Guardian Ad Litem Program and the volunteers that open their home to this program.

PORT AUTHORITY

Tom Semmes, of Wewahitchka appeared before the Board to discuss his concerns regarding obtaining a first mortgage on the old Arizona Chemical site to offset the Port Authority loan.

LEASE AGREEMENT – INDUSTRIAL PARK

Tom Semmes, of Wewahitchka appeared before the Board to inquire about the monies due from the Lease Agreement with Tifco Enterprises for the Industrial Park Building. County Attorney Novak noted the Board's previous motion to release Tifco Enterprises from the Lease Agreement and to allow them to submit a detailed report of receipts that was spent on the property; approximately \$11,000.00. He reported the County made a final inspection of the property and Tifco Enterprises has turned the property back over to the County. Mr. Semmes discussed his concerns regarding the back due rent. Commissioner Yeager stated the receipts submitted by Tifco Enterprises were more than what was owed for the rent. After discussion by Commissioner Yeager, Mr. Semmes stated the County should collect the rent that is owed to the County based on the Lease Agreement. County Attorney Novak reported the business did not go out of business but that Tifco Enterprises moved back to their previous location in Wewahitchka.

There being no further business, and upon motion by Commissioner Smiley, second by Commissioner Yeager, and unanimous vote, the meeting did then adjourn at 12:40 p.m., E.T.

**WARD MCDANIEL
CHAIRMAN**

ATTEST:

REBECCA L. NORRIS

CLERK